

REPORT  
OF  
THE SECRETARY OF THE TREASURY,

COMMUNICATING

(In compliance in part with a resolution of the Senate

*Information in relation to errors or frauds in the surveys of the public  
lands in Michigan.*

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FEBRUARY 22, 1845.

Read, and ordered to be printed.

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TREASURY DEPARTMENT, *February 21, 1845.*

SIR: I have the honor herewith to submit a report from the Commissioner of the General Land Office, and the accompanying papers marked A and B, in answer, in part, to the resolutions adopted by the Senate on the 17th instant, requesting information from this department concerning certain "errors or frauds" in the surveys of the public lands in Michigan, in townships north and west of the Saginaw bay, &c. I concur with the Commissioner in opinion as to the proper compensation to be allowed for the surveys of those portions of the public lands referred to by him in his answer to the last clause of the aforesaid resolutions.

I have the honor to be, very respectfully, your obedient servant,

GEORGE M. BIBB,

*Secretary of the Treasury.*

Hon. W. P. MANGUM,

*President pro tem. of the U. S. Senate.*

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GENERAL LAND OFFICE, *February 19, 1845.*

SIR: I have the honor to acknowledge the receipt of the resolutions of the Senate of the 17th instant, relative to the fraudulent surveys north and west of Saginaw bay, in the southern peninsula of Michigan; and in accordance with your directions of the 18th instant, endorsed thereon, beg leave to report:

That the first intimation this office had of these erroneous and fraudulent surveys was on the 15th February, 1842, when the President of the United States, to whom it had been addressed, referred here the letter of Governor Barry, of the 2d February, 1842, transmitting the joint resolution of the Legislature of Michigan, a copy of which, with Governor

Barry's letter, is herewith enclosed, marked A. On the 17th February, 1842, a report was made by this office to the President, accompanied by a diagram showing the location and extent of the surveys alleged to be fraudulent and defective, a copy of which is enclosed, marked B, and suggesting that the surveyor general should at once be required to institute an investigation, and report the facts to this office, in order that the necessary instructions for resurveys should immediately be issued. The President approved the suggestions, and directed that the Governor of Michigan should be advised of the means to be adopted; all of which was done on the 21st February, 1842. The surveyor general, on the 4th March, 1842, made an elaborate report in answer, showing the measures taken by him to ascertain the existence of frauds in these surveys; the difficulty of detecting such frauds by examination of the field notes, or platting the surveys; that the deputies who made the fraudulent surveys were recommended in the strongest manner by some of the most respectable citizens of the country; recommending, as a prevention of similar frauds in future, that the surveyor general should be authorized to employ a confidential agent to examine in the field parts of the surveys of the different deputies; and that a law should be passed, declaring the return of false or fraudulent surveys a penal offence, &c.; and concluding by recommending that Mr. Burt or Mullet should at once be authorized to examine these surveys. On the 2d April, 1842, the necessary instructions were given by this office, in obedience to which, on the 11th of that month, Mr. Burt was appointed to examine these surveys; and, on the 1st August following, the surveyor general forwarded to this office a copy of his report, showing that, as far as examined, the surveys were grossly defective and fraudulent. This office had no funds at its disposal for the correction of these surveys, until the 27th April, 1843, when the sum of \$4,000 of the general appropriation of 3d March, 1843, was set apart for this object, and the surveyor general instructed to contract immediately for corrections to that amount; which was done, the work executed, and the plats returned. The appropriation of 17th June, 1844, being much less than was asked for by this office, the apportionment to the several surveyors general was proportionally reduced, and necessarily limited their operations. Under these circumstances, being desirous to accommodate the settlers and promote the public interest as much as possible, the surveyor general at Cincinnati was directed to contract for the resurvey of such portions of the lands embraced by these erroneous and defective surveys as were settled or sold, or which would probably be sold when brought into market; which has been done, but to what extent the surveyor general has not yet reported. In his annual report of 30th October last, the surveyor general submitted an item of \$8,500, which, it is believed, will complete the correction of these erroneous and defective surveys. This item was therefore embraced in the estimates of this office, and will be applied to that object, if appropriated by Congress.

As Mr. Burt's report showed that these surveys were erroneous and fraudulent, the whole subject was laid before the Solicitor of the Treasury on the 11th May, 1843, that suits might be brought against the deputies and their sureties, for the amount of their respective bonds, which, it is understood, has been done; but of the result of those suits, or whether brought to a termination or not, this office is not advised.

In answer to the last clause of the resolution, I have to state, that, from

information received at this office, I am satisfied of the accuracy of the opinion expressed by the surveyor general of the district including that region, that an average of \$3 per mile is not sufficient compensation for the survey of the lands bordering on Lake Superior or in the northern part of the southern peninsula bordering on Lake Huron and the straits of Michilimackinac. This land is represented as broken, heavily and densely timbered in many places, is remote from supplies, and, from the rigor of the climate in these high latitudes, the deputies are compelled to cease their labors for a great part of each year. Under these circumstances, I am of opinion that the surveyor general should be authorized to pay not exceeding *five* dollars per mile for the township lines, and *four* dollars per mile for the subdivisions in those regions.

The second branch of the resolution will be answered on or before the first day of the next session of Congress, as therein directed.

The resolutions of the Senate are herewith returned.

With great respect, your obedient servant,

THOMAS H. BLAKE,  
*Commissioner.*

HON. GEORGE M. BIBB,  
*Secretary of the Treasury.*

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A.

EXECUTIVE OFFICE, DETROIT,

*February 3, 1842.*

SIR: In pursuance of the instruction of the Legislature of this State, I have the honor herewith to send you a joint resolution in relation to the resurvey of certain townships of land therein mentioned.

I have the honor to be your most obedient servant,

JOHN S. BARRY.

#### JOINT RESOLUTION.

Whereas it has been satisfactorily made to appear to this Legislature, that large districts of lands lying within the limits of the State of Michigan have been returned by some of the deputy United States surveyors to the General Land Office as surveyed, where no surveys whatever have been made, or where the surveys have been so imperfectly done as to be utterly valueless; and whereas the United States surveyor general of this land district has caused the lands so represented as surveyed to be offered for sale, to the very great injury of the State of Michigan and the citizens thereof; therefore,

*Be it resolved by the Senate and House of Representatives of the State of Michigan,* That the President of the United States be requested to cause the subdivisions of the following townships of land, situated within the State of Michigan, and which have been represented to have been surveyed, but which have either not been surveyed, or have been so imperfectly surveyed that said work is valueless, to be surveyed at as early a day as may be consistent, viz: townships 16 and 17 north, of range 3 east; and townships 15, 16, and 17, north, of range 4 east; and all the town-

ships lying east of the principal meridian, from township 18 to 25 north, inclusive, and ranges 5, 6, 7, 8, and 9, east; of township 26 north, and also townships 16, 17, and 18, north, of ranges 6, 7, and 8, west—including, in all, 81 whole and fractional townships.

*Resolved*, That the Governor be requested to transmit the foregoing preamble and resolution to the President of the United States.

K. S. BINGHAM,

*Speaker of the House of Representatives.*

ORIGIN D. RICHARDSON,

*President of the Senate.*

Approved, February 1, 1842.

JOHN S. BARRY.

SECRETARY OF STATE'S OFFICE OF MICHIGAN, DETROIT:

I, Thomas Rowland, Secretary of State of the State aforesaid, do by these presents certify, that the foregoing is a true and faithful exemplification of certain original joint resolutions passed by the Legislature of our said State at its present session, and approved by the Executive on the 1st February, 1842, and now on file and of record in my office.

In testimony whereof, I have hereto set my hand and affixed the great seal of the State of Michigan. Done at the Capitol, this second day of February, A. D. one thousand eight hundred and forty-two, and of the Independence of the United States the sixty-sixth.

THOMAS ROWLAND,

*Secretary of State.*